

AMENDED IN SENATE JUNE 29, 2016

AMENDED IN ASSEMBLY APRIL 14, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1638

Introduced by ~~Committee on Budget (Assembly Members Ting (Chair), Travis Allen, Bigelow, Bloom, Bonta, Campos, Chávez, Chiu, Cooper, Gordon, Grove, Harper, Holden, Irwin, Kim, Lackey, McCarty, Melendez, Mullin, Nazarian, Obernolte, O'Donnell, Patterson, Rodriguez, Thurmond, Wilk, and Williams)~~
Assembly Member Ting

January 7, 2016

~~An act relating to the Budget Act of 2016.~~ *An act to add and repeal Section 21350.5 of the Vehicle Code, relating to traffic controls.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1638, as amended, ~~Committee on Budget Ting. Budget Act of 2016.~~ *Traffic controls: Kern County pilot project.*

Existing law provides that the Department of Transportation has full possession and control of all state highways and associated property.

Existing law defines "official traffic control device" as any sign, signal, marking, or device placed by authority of a public body having jurisdiction, for the purpose of regulating, warning, or guiding traffic, with certain exceptions. Existing law requires the Department of Transportation, after consultation with local agencies and public hearings, to adopt rules and regulations prescribing uniform standards and specifications for all official traffic control devices placed pursuant to the Vehicle Code. Existing law authorizes a local agency to adopt rules and regulations by ordinance or resolution to regulate traffic by

means of official traffic control devices, but generally limited to a highway that is under the exclusive jurisdiction of the local agency, unless the Department of Transportation gives written approval to the application of the ordinance or resolution to a state highway.

This bill would, until January 1, 2022, establish a pilot project in Kern County that would require the Department of Transportation to obtain the approval of the Kern Council of Governments prior to installing an official traffic control device or a roundabout on a state highway within Kern County, as specified. The requirements of the bill would not apply to freeways. By requiring local agencies to approve proposed actions of the Department of Transportation, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

~~*This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2016.*~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 *SECTION 1. Section 21350.5 is added to the Vehicle Code, to*
- 2 *read:*
- 3 *21350.5. (a) There is hereby established a pilot project in*
- 4 *Kern County whereby, commencing January 1, 2017, the*
- 5 *Department of Transportation shall obtain the approval of the*
- 6 *Kern Council of Governments prior to installing an official traffic*
- 7 *control device or roundabout on a state highway within Kern*
- 8 *County.*
- 9 *(b) This section does not apply to freeways.*
- 10 *(c) This section shall remain in effect only until January 1, 2022,*
- 11 *and as of that date is repealed, unless a later enacted statute, that*
- 12 *is enacted before January 1, 2022, deletes or extends that date.*

1 *SEC. 2. If the Commission on State Mandates determines that*
2 *this act contains costs mandated by the state, reimbursement to*
3 *local agencies and school districts for those costs shall be made*
4 *pursuant to Part 7 (commencing with Section 17500) of Division*
5 *4 of Title 2 of the Government Code.*

6 ~~SECTION 1. It is the intent of the Legislature to enact statutory~~
7 ~~changes relating to the 2016 Budget Act.~~

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